THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.6281 of 2001

Dated : 25.07.2007

Between:

Bhimathati Lavanya D/o B.Kondaiah

..... PETITIONER

And:

The Secretary, State Board of Technical Education and Training, Andhra Pradesh, Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.6281 of 2001

ORDER:

Petitioner was prosecuting her Diploma in Commercial and Computer Practice (DCCP) course in the third respondent college, and she stated to have completed first and second year of the said course. However, as she was suffering from hepatitis, she could not attend the college regularly in the third year and she had shortage of attendance. The authorities advised the petitioner to produce medical certificate to that effect and also pay attendance condonation fee of Rs.150/- for getting eligibility to appear for examinations. Accordingly, she paid the same by way of a demand draft dated 07.03.2001 issued by the State Bank of Hyderabad, Dargamitta branch, Nellore, and also submitted a medical certificate within the stipulated time. She was also issued hall

ticket to appear for the examination. However, when she went to appear for the practical examination, the authorities of the college did not allow her to write the examination on the ground that she has shortage of attendance. Aggrieved thereby, this writ petition is filed seeking a direction to the respondents to permit the petitioner to appear for the examinations.

A detailed counter-affidavit has been filed on behalf of the respondents.

Heard the learned counsel for both the parties.

Prima facie, this Court is of the view that the explanation offered by the petitioner for shortage of attendance is not at all satisfactory. According to her, she was ill during the period from 01.12.2000 to 31.12.2000, and she produced a medical certificate issued by the doctor to that effect. But, it is the case of the respondents that the petitioner attended the college for seven days during that period. From this it is clear that the certificate produced by the petitioner is not genuine.

However, while issuing rule nisi, this Court granted an interim order on 09.04.2001, directing the respondents to permit the petitioner to appear for the examinations scheduled to be held from 10.04.2001 and further directed the respondents not to declare the results, until further orders. Thereafter, no further orders are passed either permitting the respondents to publish the results or in any manner. From the above, it is clear that though she was permitted to appear for examinations, it is not known as to whether she passed the examination. It is also clear that she was not given any pass certificate relating to the said course. Evidently, examinations were conducted as early as in the year 2001 and for all these years petitioner suffered without knowing whether she has qualified in the said examinations, and that itself is sufficient punishment to her.

Therefore, the writ petition is disposed of directing the respondents to declare the results of the examinations appeared by the petitioner, and if she passed, to issue a pass certificate enabling the petitioner to prosecute further studies or to secure employment. There shall be no order as to costs.

sh 25.07.2007